

MOHAVE COUNTY MINER

AND OUR MINERAL WEALTH

OFFICIAL PAPER OF MOHAVE COUNTY

Vol. XXXVII.

Kingman, Arizona, Saturday, November 30, 1918

No 5.

MILLER WILL CASE BEING TRIED IN THE COURTS THIS WEEK

The trial of the Miller will case opened in Judge Thorne's Court Monday morning of this week, continued through the week until Wednesday noon and then adjourned until Friday evening at 7 o'clock.

This case dates back to last Fall when George Miller passed away and just before his death told those at his bedside that his will would be found among his papers. They searched these papers and no will being found Mr. Miller in the presence of witnesses stated he wished to leave his estate to the schools of Mohave county, thus making a noncupative will.

The Miller estate is said to amount to over \$17,000 in cash as well as valuable mining property on Silver Creek.

A short time later a will was produced in California, leaving his estate to Mrs. Minnie Wilson, who was his nurse in his last illness. Inasmuch as this will was not believed to be in Mr. Miller's handwriting by those who knew his signature and that Mr. Miller had persistently stated that he wished to leave his property to the schools of Mohave County, this was alleged to be a fraudulent will.

H. H. Watkins applied for letters of administration under the will giving his property to Mohave County, the noncupative will, and the attorneys of Mrs. Minnie Wilson applied for letters of administration through C. R. Van Marter, under the holographic will. The court appointed Mr. Van Marter as special administrator pending any contest.

Attorneys for the noncupative will were Judge Edward M. Doe of Flagstaff, Carl G. Krook and Ross Blakely. Attorneys for the holographic will were Robinson and Brown of San Francisco and associated with them C. W. Herndon.

When Court convened Monday morning the initial argument by the attorneys was as to whether the court should exercise its rights in case there was any suspicion in his mind as to the invalidity of the holographic will, of proceeding to take testimony to either confirm or ally these suspicions before the will contest itself came up. The attorneys for the holographic will argued against his exercising this right before the will contest came up and the attorneys representing the noncupative will urged the court to investigate the will produced by Mrs. Wilson to determine whether or not it was a forgery, first. The court ruled to carry on the investigation first, later giving the attorneys for the noncupative will, as friends of the court, the right to cross-examine the witness for the other side.

The witness called upon the stand was Warster of Colfax. He testified that he met Mr. Miller at Mrs. Wilson's sanatorium, where he was staying in September, 1917, and that in November Mr. Miller called him in one day and asked his assistance in (Continued on Page Five)

AMERICA'S GREATEST ACE AND PLANE



WILL OPERATE BOATS ON COLORADO RIVER

Capt. G. L. Kirby is building flat bottomed boats near Blythe to operate on the Colorado river as far north as the Black Canyon, and as far south as aguna dam. Other boats are being built there for the purpose of handling the pile driver that is to drive the piles for levee work. A large acreage in the Blythe section overflows and while the levees have been protecting the farms, it is the intention to reinforce these levees to make all the old Blythe ranch safe.

For the past fifteen years the old river steamers have either been tied up at Yuma or used between that point and the Gulf of California.

J. M. RUSSELL DISCHARGED FROM CUSTODY BY JUDGE

J. M. Russell, who was arrested last week on a charge of espionage, had a hearing before Anson H. Smith, Commissioner, last Monday afternoon. The evidence submitted by the witnesses was not convincing, although one of them swore that Russell had aided against the Liberty Loan, stating that he feared it was "graft." Other witnesses had heard that Russell had been opposed to the war work of the government, but that they knew nothing personally. He was released from custody and the charge dismissed.

Former Famous Automobile Race Pilot Now Leads American Birdmen

Capt. Eddie Rickenbacker the greatest "ACE" in the American Flying Service. Captain Rickenbacker, who is credited with downing twenty-four enemy planes has just been awarded the Bronze Oak Leaf to be worn with the Distinguished Service Cross.

Aviator Luke Arizona Ace Is Dead

A letter has been received by the parents of Lieut. Frank Luke the noted aviator, from the International Red Cross, informing them of the death of their son inside the German lines on the 29th of September. Lieut. Luke was last seen flying towards the German lines on the 20th of Sept., apparently in quest of observation balloons of the enemy. Later he was reported from Germany to have been shot down, but there has really been no confirmation of this report, although the Red Cross has found that all reports of deaths of aviators by the Germans have been true.

Lieut. Frank Luke was one of the most daring of the American aviators. He brought down nine balloons and five airplanes, some of them two-seaters. He took all kinds of chances in the destruction of observation balloons and it is probable that he was caught by the heavy ground fire on his last trip into German territory. Young Luke was a splendid fellow, a native of Arizona and his memory will be kept unfading in the hearts of the people of his native land. To his dear old parents in Phoenix goes out the sympathy of the whole country. He died a true soldier's death, on the field of battle.

MILTON LOTZ DIES

Milton Lotz, a young man aged about 20 years, died at the emergency hospital last Monday of a complication of diseases. The young fellow had come here from his home at Spokane, Washington, a sufferer from the great white plague and was taken ill with influenza. The complication was too much for his frail constitution.

No burial arrangements have been made, no advices having been received from his parents.

LEW ASBERRY DEAD

Lew Asberry, a well known miner and teamster of this county, died at his home in Oatman last Saturday of pneumonia resulting from the influenza. He had been ill more than ten days with the disease when death relieved him of his sufferings. He was a splendid fellow, liked by all who knew him.

Lew Asberry was born in California 27 years ago and came to Mohave county about ten years ago. He leaves two brothers in California and a wife in Kingman to mourn his death. His body was brought to Kingman and interred in the local cemetery last Tuesday.

ERNEST NEAL PASSED AWAY THURSDAY MORN.

Ernest Neal, aged 27 years, died in Kingman Thursday morning of typhoid-pneumonia. He was brought to town a few days before from the Sandy, and it is said his ailment was a relapse from a case of typhoid fever, from which he was thought to have recovered.

Ernest Neal was a son of Mr. and Mrs. William A. Neal, of the Big Sandy, and was one of the most likable young men of the county. His death will be mourned wherever he was known and will be a hard blow to his aged parents. He leaves many relatives in this county to mourn his loss.

No arrangements have yet been made for the funeral, on account of the serious illness of his brother Ivan, on the Sandy, and a sister, Mrs. William Brown in Kingman.

REMAINS OF EDGAR SHARP SHIPPED TO FORMER HOME

L. L. Wallace, of Oatman, arrived in Kingman last Saturday with the remains of his former partner, Edgar old home and accompanied them to the oil home at Santa Paula, California. Mr. Sharp had died at Oatman on the 22nd of November of pneumonia. The Mohave County Bar Association members accompanied the remains to the train.

Edgar Sharp was graduated from the University of Michigan law school with the class of 1902, being a classmate of Lew L. Wallace. He practiced law in California, later coming to Oatman, where he formed a partnership in the profession with Mr. Wallace. He was a splendid fellow and was esteemed by all who knew him for his sterling qualities of mind and heart. He leaves a father and mother in Santa Paula, California, and a wife in Los Angeles.

FIRST FIBER FROM NEW FIBER PLANT

The first fiber from the new cactus decortating plant in Kingman was turned out yesterday and is of fine quality. The fiber appears to be finer and much stronger than sisal and it is sure to become one of the best cordage materials in use. The management is getting everything shaped up for a continuous run of the plant and the product is expected to be shipped out in carload lots to the market. The plant is one of the most up-to-date affairs in the country, and the Miner expects later on to give views of the various operations through which the cactus leaves are put before being turned out into finished materials as well as photos of the big plant.

FRANK J. DUFFY COUNTY ATTORNEY

Frank J. Duffy, formerly superior judge of Santa Cruz county, has been appointed county attorney to succeed Leslie C. Hardy, who is in the army. Judge Duffy is well known in Mohave county, where he held several terms of court during the incumbency of Judge Krook. He is an excellent lawyer and has a wide circle of friends in the state.

INFLUENZA EPIDEMIC RAPIDLY DECREASES IN CITY AND COUNTY

Influenza has dropped off considerably in Kingman the past week. There were approximately 75 cases here last week at this time and to-day there are about 22 cases. There are one or two new cases daily.

The hospital has no cases in it now, the last two having been moved out to-day.

This should not be taken as a sign that we are out of all danger from the epidemic in Kingman, though we have probably had between 400 and 500 cases here. The experiences of other places must not be forgotten. Bisbee had a celebration when they thought they were through with the "flu" and now they are having another run of it. Denver was all through apparently and now they are again taking precautions.

Seattle and Vancouver B. C. have had the same experiences.

Those who have not yet contracted the disease are urged to continue daily with the spraying and to take other precautions until we are completely "out of the woods."

The Sandy seems to be having quite a run of the epidemic now and it is possible that some of these cases may be brought to Kingman.

Chloride seems to have escaped so far but on this account the citizens of Chloride should be doubly careful.

Oatman shows still further improvement this week, there being only about eight cases there now. Oatman is less liable to have a recurrence of the disease on account of the extent to which it run there. But there is always a possibility for those who have not had it to contract it.

Our percentages of deaths are so far less than in the large centers of populations and it is hoped this condition will continue.

C. N. NICKELL FUNERAL HELD LAST TUESDAY

The funeral of the late C. N. Nickell was held from the residence last Tuesday afternoon.

The ceremony with Rev. Dodd officiating was simple but impressive. The sentiment of the many friends of the deceased gathered there, was that they were witnessing the passing of an excellent citizen. The floral decorations, piled high on the bier, were a touching tribute to the place he occupied in the hearts of Kingman people.

Interment was in the Mountain View Cemetery.

RETURNS FROM MINE

J. B. McNaughton, who has been at the Twins mines, near Cerbat, the past few days, returned to Kingman a few days ago.

HELD FOR \$5000 BAIL UNDER THE ESPIONAGE ACT

A. W. Kellogg, who was charged by the department of justice of the United States with espionage, had a hearing before Anson H. Smith, U. S. Commissioner, last Monday and was held to answer to the U. S. grand jury with bail fixed at \$5,000 failing which defendant was committed to jail.

From the evidence of witnesses defendant Kellogg had found fault with the activity of the government, nothing that the administration did being pleasing to him. He wanted to see the German burn and sack London; he did not believe our government had the ability or resource to pay off even the interest on the Liberty Bonds, let alone the principal, and he did not believe that Herbert Hoover had the right to say what he should eat or drink, especially when the surplus went to the English in part. He did not believe the war would end as long as Wilson and a democratic administration could make money out of it. Kellogg admitted that he had used in-temperate language, but that it was in the heat of argument.

SMALL BLAZE AT ELKS HALL PROVES STUBBORN

The Elks Hall caught on fire about 11 o'clock Friday morning which was put out after considerable effort about an hour later.

The reason that there was such difficulty in finally getting the fire extinguished was that it was between the floor joists and could not be gotten at.

Holes were finally made in the floor of the club rooms upstairs and the ceiling of the hall below and in this manner the fire could be reached with the chemicals.

The cause of the fire is thought to have been defective wiring.

C. N. NICKELL STORE OPEN AGAIN MONDAY

Nickell and Company Dry Goods Store will be opened again Monday morning. Miss Lulu Overstreet assisted by Miss Esther Manifee and later by Mrs. C. N. Nickell, will conduct the business in the future.

BORN—A BABY BOY

John W. Harris wears a big smile these days because of the fact that his daughter, Mrs. Murray Chappell, has presented her husband with a baby boy. This is the first occasion that John had to be called grandpa.

SAM SWASKIGMAI, LOCAL INDIAN, KILLED IN ACTION

Sam Swaskigmai died in the famous battle of Chateau Thierry, one of the first and hardest fought engagements in which the Americans took part as a separate unit on this battle front. The Pictorial Weekly, some weeks ago, showed Sam in uniform with other Indians, and told the story of how these brave fellows had swam a river and reconnoitered the German position and then got clean away. It was in the fight where they climbed the bluff from the river that Sam met his death.

Sam Swaskigmai was drafted into the army about a year ago, and was sent to Funston, but later was sent back to Camp Kearney, whence he went with his command in July to France. He wanted to see the big fight and to do his best for his "Dear Uncle Sam." In a letter to the writer, Major General Strong, writing from Camp Kearney, reported Sam to be one of the best soldiers in his command.

The following letter to the widow of the dead soldier will be appreciated by the people of Kingman who knew Sam Swaskigmai and liked him for the loyal American that he was:

Headquarters 1st Bn. 9th Inf. American E. F. Oct. 18th, 1918. Mrs. Bertha Swaskigmai, Kingman, Ariz. Dear Madam:

It is with a feeling of great sorrow at your and our loss and with a like feeling of great pride at his courageous performance of his duty that I report to you the loss in action of your noble husband, Sam Swaskigmai. He died in our recent attack in one of the most glorious as well as severely

fought actions our wonderful army has ever taken part in.

He was a noble, true, brave and trusted soldier, loved and respected by all his comrades and his officers. (Continued on Page 5)

All Sugar Restrictions Removed

Commencing the first of December the restrictions on the sale and consumption of sugar in Arizona are lifted. A telegram to this effect from Food Administrator Riordan was received Friday morning.

This order is for one month only and is to be tried out with the idea of continuing it if it works out satisfactorily.

The wheat program still remains the same, two ounces per meal, though the order governing the use of substitutes has been done away with.

The necessity to conserve food is fully as great as before the armistice was signed as it will be necessary for this country to feed the devastated countries of Europe until the next crop is harvested.

STATE BOARD CANVASSERS GIVE STATE ELECTION VOTE

The state board of canvassers completed the returns of the late election and have given out the results on each candidate as shown below:

Supreme Court—
Albert C. Baker, D. 20,717
A. A. Jayne, R. 5,008
J. N. Morrison, S. 3,687
Baker's majority over Jayne .. 15,709

U. S. Removes All Building Restrictions

The Arizona State Council of Defense has been advised today by the War Industries Board that all remaining restrictions on building projects have been removed. This order went into effect on Nov. 21st and from that date all building operations of whatever character may proceed without permits, either from the War Industries Board or the State Council of Defense.

Under this ruling it will not be necessary for any person to apply to either the County Council of Defense or the State Council for a permit to build and all rules and regulations made by the War Industries Board governing construction are rescinded and annulled.

Congress—
Carl Hayden, D. 26,802
Thomas Maddock, R. 16,820
O. T. Robertson, S. 753
Hayden majority over Maddock 9,982

Governor—
Fred C. Colter, D. 25,587
Thomas E. Campbell R. 25,927
George D. Smith, S. 444
Campbell's majority over Colter 340

Secretary of State—
Mitt Simms, D. 28,021
Harry Kay, R. 16,660
Alice S. Eddy, S. 1,205
Simms' majority over Kay .. 11,361

State Auditor—
Jesse L. Boyce, D. 27,395
C. W. Fairfield, R. 16,171
Emmet Otto, S. 889
Boyce's majority over Fairfield 11,224

State Treasurer—
Harry S. Ross, D. 27,459
James A. Jones, R. 16,281
Eugene Middleton, S. 1,021
Ross' majority over Jones .. 11,178

Attorney General—
Wiley E. Jones, D. 27,665
David Binshimol, R. 17,656
J. L. Pitts, S. 914
Jones' majority over Binshimol 10,009

Supt. Public Instruction—
C. O. Case, D. 25,460
H. E. Matthews, R. 25,330
S. E. Turner, S. 925
Case's majority over Matthews 6,130

Workman's Compensation—
100—For 12,873
101—Against 27,177
Majority against measure 14,304

Legislative Redistricting—
102—For 17,565
103—Against 10,675
Majority for measure 6,890

(Continued on Page 9.)